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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/564,810      01/16/2006      Junichiro Sugita      115990-004      3340

24573      7590      11/08/2007  
BELL, BOYD & LLOYD, LLP  
P.O. Box 1135  
CHICAGO, IL 60690

EXAMINER
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HESS, BRUCE H

ART UNIT	PAPER NUMBER
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1794

MAIL DATE	DELIVERY MODE
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11/08/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/564,810	Applicant(s) SUGITA ET AL.	
	Examiner Bruce H. Hess	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 1-16-06 (IDS).
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-4 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a)  All    b)  Some \*    c)  None of:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1-16-06</u> | 6) <input type="checkbox"/> Other: _____  |

1. Claims 1-4 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent 7,074,741 in view of any of the patents to Hirota et al. (JP 03-162991), Mori et al. (JP 05-330257) Josa et al. (JP 09-234963) or Simpson et al. (JP 10-157310).

The claims of the aforementioned U.S. Patent are directed to a sublimation transfer recording medium which reduces sticking to soft vinyl chloride cards by employing a block copolymer silicone resin in the dye transfer layer. The secondary references are directed to sublimation transfer recording media which employ a phenoxy resin in the dye transfer layer in order to reduce sticking. Since it is obvious to combine materials which perform the same function, use of the prior art block copolymer silicone and phenoxy resins anti-sticking agents together would have been obvious to one of ordinary skill in this art in the absence of unexpected results.

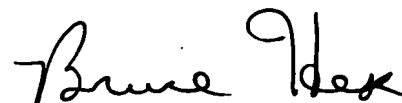
2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over either of the patents to Sugita et al. (U.S. Patent 7,074,741) or Yokoyama et al. (JP 10-297123) in view of any of the patents to Hirota et al., Mori et al., Josa et al. or Simpson et al.

The primary references are directed to sublimation transfer recording media which reduce sticking to receiving elements by employing a block copolymer silicone resins in the dye transfer layers. The secondary references are directed to sublimation transfer recording media which employ a phenoxy resin in the dye transfer layers in order to reduce sticking. Since it is obvious to combine materials which perform the same function, use of the prior art block copolymer silicone and phenoxy resins anti-

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sticking agents together would have been obvious to one of ordinary skill in this art in the absence of unexpected results.

A handwritten signature in cursive script that reads "Bruce Hess".

BRUCE H. HESS  
PRIMARY EXAMINER  
GROUP 1300